

**UNITED STATES BANKRUPTCY COURT  
District of Delaware  
824 Market Street, 3rd Floor  
Wilmington, DE 19801**

**In Re:** ) Bankruptcy Case No.: 23-10576-TMH  
Christmas Tree Shops, LLC ) Bankruptcy Chapter: 7  
Debtor )  
\_\_\_\_\_  
George L. Miller )  
Plaintiff )  
vs. ) Adv. Proc. No.: 25-50862-TMH  
Bestway (USA), Inc. )  
Defendant )

**ORDER ASSIGNING ADVERSARY PROCEEDING  
TO MEDIATION, APPOINTING MEDIATOR, AND SETTING MEDIATION DEADLINES AND TRIAL  
DATE**

Pursuant to this Court's Local Rule 9019-5, George L. Miller , Plaintiff(s) and the above named Defendant(s) (collectively, the "Parties"), are directed to mediation to attempt to resolve disputes by and between the Parties relative to the above-captioned adversary proceeding. Upon the foregoing, it is hereby

**ORDERED** that this matter is scheduled for Trial on a date to be determined ; and it is further

**ORDERED** that the above-captioned adversary proceeding is hereby assigned to mediation; and it is further

**ORDERED** that the costs of the mediation shall be paid by the bankruptcy estate, or if there is no bankruptcy estate, by the plaintiff in the adversary proceeding, or as directed by the Court; and it is further

**ORDERED** that:

(a) If the parties have stipulated to entry of this order, , who has been selected by the parties is appointed the mediator in this adversary proceeding; or,

(b) If the parties have not stipulated to entry of this order, the court appoints Carl N. Kunz , who is a mediator from the Register of Mediators of the United States Bankruptcy Court for the District of Delaware, as the mediator in this adversary proceeding; and it is further

**ORDERED** that within two (2) business days of receipt of this order the Parties shall e-mail and/or fax the appointed Mediator and indicate whether the case has been settled and provide a contact person's name, telephone number, fax number and e-mail address. Failure to do so will subject the parties to an administrative fee and possible additional sanctions; and it is further

**ORDERED** that if a case has been settled as outlined in the preceding paragraph, the Parties shall notify and file with the Court all relevant settlement documents within (14) fourteen business days of the date the mediator was notified of said settlement. The parties shall file a request for extension of time if additional time is required to prepare and file the necessary settlement documents with the Court. Any such request for extension of time shall be filed within ten business days of the date the mediator was notified of said settlement; and it is further

**ORDERED** that the Parties shall furnish the mediator with copies of such documents and such confidential statement of position as the mediator may request; and it is further

**ORDERED** that within twenty one (21) days of appointment, the mediator shall schedule an initial mediation session; and it is further

**ORDERED** that this mediation shall be conducted in accordance with the Local Rules of the United States Bankruptcy Court of the District of Delaware; and it is further

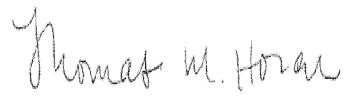
**ORDERED** that pursuant to Local Rule 9019-5(c)(iii)(A), the Parties and counsel shall attend such mediation sessions as the Mediator shall deem appropriate and necessary at such times and places as the mediator shall determine; and it is further

**ORDERED** that no later than (14) fourteen days following the conclusion of the mediation or 60 days after the entry of this order, whichever is earlier, the mediator shall file and serve on the parties the mediator's certificate of completion or mediation status report. The information provided by the mediator shall not contain any information concerning the merits of the case or confidential communications made during the mediation process; and it is further

**ORDERED** that within one day after the entry of this Order, the attorneys for each of the Parties shall send a copy of this Order to (1) each of the individual Parties that such attorney represents; and/or (2) the principal, officer, director or other person with full settlement authority for each entity that such attorney represents.

Date: 11/18/25

(VAN-416)  
Form Revised 03/27/13



Thomas M Horan  
Bankruptcy Judge

United States Bankruptcy Court  
District of Delaware

Miller,

Plaintiff

Bestway (USA), Inc.,

Defendant

Adv. Proc. No. 25-50862-TMH

District/off: 0311-1

User: admin

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Date Rcvd: Nov 18, 2025

Form ID: van416

Total Noticed: 3

The following symbols are used throughout this certificate:

**Symbol****Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2025:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
dft	+ Bestway (USA), Inc., 3435 S. McQueen Rd., Chandler, AZ 85286-2701
md	+ Carl N. Kunz, III, Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801-1494

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

<b>Recip ID</b>	<b>Notice Type: Email Address</b>	<b>Date/Time</b>	<b>Recipient Name and Address</b>
pla	+ Email/Text: gmiller@mctlp.com	Nov 18 2025 20:10:00	George L. Miller, 1628 John F. Kennedy Boulevard, Suite 950, Philadelphia, PA 19103-2110

TOTAL: 1

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

**NOTICE CERTIFICATION**

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 20, 2025

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2025 at the address(es) listed below:

**Name****Email Address**

Bradford J. Sandler

on behalf of Plaintiff George L. Miller bsandler@pszjlaw.com abates@pszjlaw.com

Carl N. Kunz, III

on behalf of Mediator Carl N. Kunz III ckunz@morrisjames.com, ddepta@morrisjames.com;slisko@morrisjames.com;joconnor@morrisjames.com;morrisjames@ecf.courtdrive.com

District/off: 0311-1

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Doron Yitzchaki

on behalf of Defendant Bestway (USA) Inc. dyitzchaki@dickinsonwright.com

Matthew P. Ward

on behalf of Defendant Bestway (USA) Inc. matthew.ward@wbd-us.com, Heidi.sasso@wbd-us.com;cindy.giobbe@wbd-us.com

Peter J Keane

on behalf of Plaintiff George L. Miller pkeane@pszjlaw.com

TOTAL: 5